

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNA LEACH, et al.,

Plaintiffs,

v.

TESLA, INC., et al.,

Defendants.

Case No. 23-cv-03378-SI (SK)

**ORDER REGARDING DISCOVERY
LETTER BRIEFS**

Regarding Docket Nos. 58, 59, 60, 67 and
68

This matter was referred to the undersigned for the purpose of resolving discovery disputes. (Dkt. No. 62.) Several discovery matters are pending, including disputes about the sufficiency of Defendant's responses to Plaintiffs' written discovery requests and Plaintiff's request to depose Lars Moravy. (Dkt. Nos. 58, 59, 60.) In order to provide an updated summary of the state of the disputes, the undersigned ordered the parties to meet and confer and produce a table of the disputed requests for production of documents and the disputed responses to interrogatories. (Dkt. No. 64.) The parties submitted their responsive chart on February 14, 2025. (Dkt. Nos. 67, 68.)

The Court GRANTS Defendant's motion to seal portions of the discovery chart. (Dkt. No. 68.)

The Court rules on the remaining disputes as follows:

Deposition of Lars Moravy – The motion for a protective order to prevent the deposition of Lars Moravy is GRANTED, but Plaintiff may later seek to depose him after taking other depositions.

Document Request No. 13 – Tesla is ORDERED to produce responsive documents. To the extent that Tesla asserts that the attorney-client privilege or work product doctrine protects a document from disclosure, Tesla must provide a privilege log.

1
2 Document Request No. 14 – Tesla is ORDERED to produce responsive documents. To the extent
3 that Tesla asserts that the attorney-client privilege or work product doctrine protects a document
4 from disclosure, Tesla must provide a privilege log.

5
6 Document Request Nos. 15 and 16 – Tesla is ORDERED to produce responsive documents with
7 the following limitations: (1) limited to the Model Y vehicles, (2) limited to incidents occurring on
8 or before December 31, 2021, (3) limited to the search terms suggested by Tesla (but expanding
9 the search parameters from incidents occurring on or before April 17, 2021 to incidents occurring
10 on or before December 31, 2021). To the extent that Tesla asserts that the attorney-client privilege
11 or work product doctrine protects a document from disclosure, Tesla must provide a privilege log.

12
13 Document Request No. 21 – Tesla is ORDERED to produce responsive documents. To the extent
14 that Tesla asserts that the attorney-client privilege or work product doctrine protects a document
15 from disclosure, Tesla must provide a privilege log.

16
17 Document Request No. 22 – Tesla is ORDERED to produce responsive documents. To the extent
18 that Tesla asserts that the attorney-client privilege or work product doctrine protects a document
19 from disclosure, Tesla must provide a privilege log.

20
21 Document Request No. 23 – Tesla is ORDERED to produce responsive documents. To the extent
22 that Tesla asserts that the attorney-client privilege or work product doctrine protects a document
23 from disclosure, Tesla must provide a privilege log.

24
25 Document Request No. 25 – Tesla is ORDERED to produce design documents regarding the
26 following subset of front crash structures (in front of the occupant compartment) for 2020-2025
27 Tesla Model Y, as identified by Tesla's 30(b)(6) witness, Sean Haight: the bumper beam, ankle
28 catcher, crush cans, cross-car or lateral beam, steering gear, thermal beam, shock tower,

1 steering column, front-end module, subframe, subframe crush cans, and sway bar. To the extent
2 that Tesla asserts that the attorney-client privilege or work product doctrine protects a document
3 from disclosure, Tesla must provide a privilege log.

4
5 Document Request No. 26 – Tesla is ORDERED to produce engineering drawings regarding the
6 following subset of front crash structures (in front of the occupant compartment) for 2020-2025
7 Tesla Model Y, as identified by Tesla’s 30(b)(6) witness, Sean Haight: the bumper beam, ankle
8 catcher, crush cans, cross-car or lateral beam, steering gear, thermal beam, shock
9 tower, steering column, front-end module, subframe, subframe crush cans, sway
10 bar, and crash rails. To the extent that Tesla asserts that the attorney-client privilege or work
11 product doctrine protects a document from disclosure, Tesla must provide a privilege log.

12
13 Document Request No. 27 – Tesla is ORDERED to produce all responsive communications
14 regarding the design of the following subset of front crash structures (in front of the occupant
15 compartment) for 2020-2025 Tesla Model Y, as identified by Tesla’s 30(b)(6) witness, Sean
16 Haight: the bumper beam, ankle catcher, crush cans, cross-car or lateral beam, steering gear,
17 thermal beam, shock tower, steering column, front-end module, subframe, subframe crush cans,
18 sway bar, and crash rails. To the extent that Tesla asserts that the attorney-client privilege or work
19 product doctrine protects a document from disclosure, Tesla must provide a privilege log.

20
21 Document Request No. 28 – Tesla is ORDERED to produce all reports and testing results
22 regarding the design of the following subset of front crash structures (in front of the occupant
23 compartment) for 2020-2025 Tesla Model Y, as identified by Tesla’s 30(b)(6) witness, Sean
24 Haight: the bumper beam, ankle catcher, crush cans, cross-car or lateral beam, steering gear,
25 thermal beam, shock tower, steering column, front-end module, subframe, subframe crush cans,
26 sway bar, and crash rails. To the extent that Tesla asserts that the attorney-client privilege or work
27 product doctrine protects a document from disclosure, Tesla must provide a privilege log.

28 Document Request No. 30 – The motion to compel with regard to this request is DENIED.

1
2 Document Request No. 34 – Tesla is ORDERED to produce documents for incidents involving a
3 Tesla vehicle in a frontal collision with narrow objects between main crash rails that occurred
4 between 2018-2024. To the extent that Tesla asserts that the attorney-client privilege or work
5 product doctrine protects a document from disclosure, Tesla must provide a privilege log.

6
7 Document Request No. 39 – The motion to compel with regard to this request is DENIED.

8
9 Document Request Nos. 42, 44, 45, 46, 49, 50, 55, 56 – Tesla is ORDERED to produce internal
10 communications, incident reports, complaints from customers, legal complaints and prelitigation
11 demand letters involving claims of post-collision battery fires and documents stored in the system
12 called Jira. To the extent that Tesla asserts that the attorney-client privilege or work product
13 doctrine protects a document from disclosure, Tesla must provide a privilege log.

14
15 Document Request No. 43 – Tesla is ORDERED to produce engineering analyses, FMEA, and
16 DFMEA for battery fires in 2020-2025 Tesla Model Y. To the extent that Tesla asserts that the
17 attorney-client privilege or work product doctrine protects a document from disclosure, Tesla must
18 provide a privilege log.

19
20 Document Request Nos. 48, 51, 54 – The motion to compel with regard to this request is DENIED
21 without prejudice. Plaintiffs may at a later date renew this motion if they can provide a
22 compelling need for the documents.

23
24 Document Request Nos. 52 and 53 – Tesla is ORDERED to produce complaints and prelitigation
25 demand letters involving claims of frontal collisions with allegations that a 2020 to 2024 Model Y
26 was not crashworthy. To the extent that Tesla asserts that the attorney-client privilege or work
27 product doctrine protects a document from disclosure, Tesla must provide a privilege log.

28 Document Request No. 59 – Tesla is ORDERED to produce responsive documents. To the extent

that Tesla asserts that the attorney-client privilege or work product doctrine protects a document from disclosure, Tesla must provide a privilege log.

Interrogatory No. 1 – Tesla is ORDERED to provide a response to this interrogatory to identify complaints, lawsuits, and not-in-suit matters regarding sudden acceleration for 2020-2025 Tesla Model Y vehicles.

Interrogatory No. 2 – Tesla is ORDERED to provide a response to this interrogatory to identify complaints, lawsuits, and not-in-suit matters alleging insufficient frontal collision crashworthiness for 2020-2025 Tesla Model Y vehicles.

Interrogatory No. 3 – Tesla is ORDERED to provide a response to this interrogatory to identify complaints, lawsuits, and not-in-suit matters alleging a post-collision batter fire for 2020-2025 Tesla Model Y vehicles.

Interrogatory No. 10 – Tesla is ORDERED to provide a response to this interrogatory to identify the software used by Tesla in its simulation of Model Y frontal pole collisions, which is believed to be the LS-Dyna software tool for simulations, and Meta Post Processor software to process the results.

Tesla must produce these documents and must provide responses to these interrogatories by April 30, 2025. The undersigned has consulted with the District Judge overseeing this matter, and the parties are directed to meet and confer to provide a new schedule for all deadlines in this matter and submit that proposed schedule, or competing schedules, to the District Judge by March 14, 2025.

IT IS SO ORDERED.

Dated: February 20, 2025



SALLIE KIM
United States Magistrate Judge